

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES M. HAZLETT

Plaintiff,

v.

**EXPRESSJET AIRLINES, INC.,
et, al.**

Defendants.

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CIVIL ACTION

NO.: 02-CV-4840

JURY TRIAL DEMANDED

NOTICE OF APPEAL

Notice is hereby given that James M. Hazlett, Plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Third Circuit from the District Court's Order entering Summary Judgment on the issue of federal preemption in favor of Defendants, entered on the 22nd day of September, 2003.

Respectfully submitted,

BOCHETTO & LENTZ, P.C.

Date: _____

By: _____
Gavin P. Lentz, Esquire
Attorney for plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this day, October 21, 2003, a true and correct copy of Plaintiff's Notice of Appeal, was served via regular mail upon counsel for Defendants at the following address:

Ann Thornton Field, Esquire
Denise H. Houghton, Esquire
Sarah Anderson Frey, Esquire
Cozen & O'Connor
1900 Market Street
Philadelphia, PA 19103

Date: October 21, 2003

By: _____
Vincent van Laar, Esquire